

**POLITICAL CONTROL OVER MEDIA IN MALAYSIA FROM 1970 TILL  
1999**

**By**

**ARIA HAJJAFARI**

**Thesis submitted in fulfillment of the requirements for the degree of Master of  
Political Science**

**School of Social Science**

**June 2013**

## **ACKNOWLEDGEMENTS**

I would like to take this opportunity to give a special acknowledgement and to thank my supervisors, Dr. Azeem Fazwan Ahmad Farouk and Professor Dr. Ahmad Atory Hussain for their support, guidance and technical expertise throughout my dissertation. In particular, I am much indebted to Professor Dr. Ahmad Atory Hussain who had given me theoretical support to make my thesis more substantial when my first supervisor Dr. Azeem Fazwan Ahmad Farouk who was doing his sabbatical leaves within a period of 9 months. I give my deepest respect and appreciation to my wife for her kindness, supports, patience, and encouragement throughout my study. I will always be indebted to her. It is my pleasure to thank my mother and my mother and father-law as well. This is the best opportunity to thank my uncles Kazem Hajjafari and Mahmood Hajjafari as my best friends for their support, motivation and guidance. Last but not least, I thank Almighty God for always being there to guide me through thick and thin.

## TABLES OF CONTENTS

|                           |      |
|---------------------------|------|
| Acknowledgement.....      | ii   |
| Table of Contents .....   | iii  |
| List of Tables.....       | vii  |
| List of Figures.....      | viii |
| List of Abbreviation..... | ix   |
| Abstrak.....              | xi   |
| Abstract.....             | xiii |

### CHAPTER 1 - INTRODUCTION

|  |    |
|--|----|
| 1.1 Introduction.....                      | 1  |
| 1.2 Problem Statements.....                | 3  |
| 1.3 Objectives of the Study .....          | 5  |
| 1.4 Significance of the Study.....         | 6  |
| 1.5 Scope of the Study.....                | 6  |
| 1.6 Research Questions.....                | 7  |
| 1.7 Definitions and Concepts.....          | 8  |
| 1.8 Design of the Study.....               | 15 |
| 1.9 Methodology of Study .....             | 17 |
| 1.9.1 Data from In-depth Interviewing..... | 18 |
| 1.10 Limitation of the Study.....          | 21 |
| 1.11 Chapterization.....                   | 22 |

### CHAPTER 2 - LITERATURE REVIEW

|                       |    |
|-----------------------|----|
| 2.1 Introduction..... | 24 |
| Summary               |    |

## CHAPTER 3 THEORETICAL FARAEMWORK

|  |    |
|--|----|
| 3.1 Introduction.....                                    | 35 |
| 3.2 Theories of Freedom of the Press.....                | 35 |
| 3.2.1 The Authoritarian Theory of the Press.....         | 36 |
| 3.2.2 The Libertarian Theory of the Press.....           | 37 |
| 3.2.3 The Social Responsibility Theory of the Press..... | 39 |
| 3.2.4 The Soviet Communist Theory of the Press.....      | 42 |

### Summary

## CHAPTER 4 - BACKGROUND OF MALAYSIAN SOCIETY AND ITS POLITICAL SYSTEM

|   |    |
|---|----|
| 4.1 Background of Society.....                              | 48 |
| 4.2 Malaysia in General.....                                | 49 |
| 4.3 Political System.....                                   | 50 |
| 4.4 Economic Life of the Three Major Races before 1999..... | 51 |
| 4.5 The Malaysian Plural Society.....                       | 52 |
| 4.6 Economic Development.....                               | 56 |

### Summary

## CHAPTER 5 - ANALYSIS OF THE MEDIA SITUATION FROM THE COLONIAL ERA TO 1999

|   |    |
|---|----|
| 5.1 The Media from Independence to 1999.....                  | 65 |
| 5.1.1 Pre-Colonial Malay Sultanate.....                       | 65 |
| 5.1.2 British Colonialist Era.....                            | 67 |
| 5.1.3 The Media Situation in Malaysia after Independence..... | 70 |
| 5.1.3.1 The May 13 <sup>th</sup> Tragedy.....                 | 74 |
| 5.1.3.2 Era after May 13 <sup>th</sup> 1969.....              | 78 |

|  |    |
|--|----|
| 5.1.3.3 October 27 <sup>th</sup> “Operasi Lalang” 1987.....                              | 80 |
| 5.1.3.4 Asian Financial Crisis and Reformasi Movement (1997-1999).....                   | 83 |
| 5.1.4 Review Some Changes/Developments in the Prospect of Transformation after 1999..... | 90 |

## Summary

## CHAPTER 6 - AN OVERVIEW OF MALAYSIAN MEDIA LAWS AND REGULATIONS AND MEDIA OWNERSHIP IN MALAYSIA

|   |     |
|---|-----|
| 6.1 Introduction.....   | 107 |
| 6.2 Media in Malaysia.....                                    | 108 |
| 6.2.1 Printing Press.....                                     | 108 |
| 6.2.2 Broadcast Media.....                                    | 110 |
| 6.2.3 New or Digital Media.....                               | 111 |
| 6.3 An Overview of Malaysian Media Laws and Regulations.....  | 114 |
| 6.3.1 Malaysia’s Constitution.....                            | 116 |
| 6.3.2 The Internal Security Act 1960 (ISA).....               | 119 |
| 6.3.3 The Official Secret Act 1972 (OSA).....                 | 123 |
| 6.3.4 The Sedition Act.....                                   | 125 |
| 6.3.5 The Printing Presses and Publications Act.....          | 126 |
| 6.3.6 The Broadcasting Act.....                               | 129 |
| 6.3.7 The Communication and Multimedia Act (CMA) of 1996..... | 130 |
| 6.3.8 Universities and University Colleges Act, 1971.....     | 131 |
| 6.4 Media Ownership.....                                      | 132 |

## Summary

## CHAPTER 7 - ANALYSIS OF FINDINGS

|  |     |
|--|-----|
| 7.1 The Responses to the Development of Media Freedom in Malaysia.....   | 144 |
| 7.1.1 Key Themes 1: Meaning and Understanding of Reasons on the Importance of Media Freedom.....   | 144 |
| 7.1.2 Key Themes 2: To Understand the Reasons of Limitations of Media Freedom.....   | 145 |
| 7.1.3 Key Themes 3: To Realize the Performance of These Limitative Laws to Achieve Better Harmony or Economic Development.....   | 146 |
| 7.1.4 Key Themes 4: Paradox between the Malaysian Constitution and Government Performance about the Freedom of Speech.....   | 148 |
| 7.1.5 Key Themes 5: To Understand which Theories, (Libertarian, Social Responsibility, or Authoritarian) is Suitable in the Context of Analyzing the Real Situation of Media Freedom in Malaysia from 1970-1999..... | 149 |
| 7.1.6 Key Themes 6: Thinking about Revoking Media Control and all Limitative Laws and Legal Restrictions in Malaysia.....  | 150 |
| 7.1.7 Key Themes 7: Suggestions to Improve Media Freedom in Malaysia.....  | 151 |
| 7.2 Analysis of Other Views.....   | 152 |
| 7.3 Discussions.....   | 160 |
| 7.3.1 Historical Roots, Colonialism, Social Structure Multi-ethnic, Multi-cultural, and Multi- religious.....  | 161 |
| 7.3.2 Media Control in Malaysia .....  | 165 |
| Summary  |     |

## CHAPTER 8 - CONCLUSIONS

|                     |     |
|---------------------|-----|
| 8.1 Conclusion..... | 171 |
| REFERENCES.....     | 181 |
| APPENDIX.....       | 197 |

|  |     |
|--|-----|
| Appendix 1- The Number of Readers for Media Press/Newspapers in Malaysia...  | 197 |
| Appendix 2- Television channel TV3, largest circulation English daily The Star and the Internet newspaper Malaysiakini remained popular among all the races..... | 198 |
| Appendix 3- The owners of media press.....   | 199 |
| Appendix 4- Map of Malaysia.....   | 201 |
| Appendix 5- Name of Interviewees.....  | 202 |

## **LIST OF TABLE**

|  |     |
|--|-----|
| Table 1 The Number of readers of Malaysian Newspapers in Malaysia from 2009 to 2010..... | 197 |
| Table 2 Largest circulation English daily.....   | 198 |
| Table 3 List of the Owners of Media Press.....   | 200 |



## LIST OF FIGURES

|            |                                    | Page |
|------------|------------------------------------|------|
| Figure 1.1 | Conceptual design of study         | 16   |
| Figure 1.2 | Theoretical frame work of study    | 17   |
| Figure 4.1 | Malaysia: population demographics  | 54   |
| Figure 4.2 | Malaysia: religions                | 55   |
| Figure 4.3 | Gross domestic product in Malaysia | 58   |
| Figure 6.1 | Media ownership in Malaysia        | 139  |

## **LIST OF ABBREVIATIONS**

|        |  |
|--------|--|
| CMA    | Communication and Multimedia Act                     |
| DAP    | Democratic Action Party                              |
| DEMA   | Malaysia Youth and Students Democratic Movement      |
| EWC    | Minister of Energy, Water, and Communication         |
| GDP    | Gross Domestic Product                               |
| ICCPR  | International Covenant on Civil and Political Rights |
| ICT    | Information and Communication Technology             |
| ISA    | Internal Security Act                                |
| JAC    | Judicial Appointment Commission                      |
| JARING | Joint Advanced Research Integrated Networking System |
| MACC   | Malaysian Anti-Corruption Commission                 |
| MCA    | Malaysian Chinese Association                        |
| MIC    | Malaysian Indian Congress                            |
| MIMOS  | Malaysian Institute of Microelectronic System        |
| MSC    | Multimedia Super Corridor                            |
| NEP    | New Economic Policy                                  |
| NSTP   | New Straits Times Press                              |
| NGO    | Non-governmental organization                        |
| NOC    | National Operations Council                          |
| OSA    | Official Secret Act                                  |
| PAA    | Peaceful Assembly Act                                |
| PAS    | Pan Islamic Party                                    |
| PPPA   | Printing Presses and Publications Act 1984           |
| PPP    | People's Progressive Party                           |

|       |   |
|-------|---|
| PWIG  | Prince of Wales Island Gazette            |
| STMB  | Sistem Televisyen Malaysia Bhd            |
| UDHR  | Universal Declaration on Human Rights     |
| UMNO  | United Malays National Organisation       |
| UNCHR | United Nations Commission on Human Rights |
| UUCA  | Universities and University Colleges Act  |

## **PENGAWALAN POLITIK MEDIA DI MALAYSIA 1970-1999**

### **ABSTRAK**

Kajian ini menyelidik kawalan politik ke atas media di Malaysia untuk tahun 1970 – 1999. Ini dalam usaha untuk memahami situasi kebebasan media di negara ini di mana internet juga tidak terkecuali dari halangan dalam menegakkan kebebasan awam dan mengekalkan ruang demokrasi tetapi penapisan adalah satu isu yang semakin besar di Malaysia, yang diletakkan pada kedudukan ke-141 dalam Worldwide Press Freedom Index oleh Reporters Without Borders dan juga diberikan status “Tidak Bebas” dalam laporan Freedom in the World oleh Freedom House. Kajian ini meneliti sejarah kawalan media di negara ini dengan menumpukan lebih perhatian untuk tempoh dari kemerdekaan hingga tahun 1999 yang bukan sahaja menyentuh Kesultanan Melayu pada era prakolonial dan era kolonial British tetapi juga mengambilkira situasi media di Malaysia selepas kemerdekaan di antaranya Tragedi 13 Mei, Operasi Lalang pada 27 Oktober 1987, Krisis Kewangan Asia dan Gerakan Reformasi (1997-1999). Kelihatannya isu kawalan media massa adalah seusia dengan sejarah media massa di negara ini sendiri. Kajian dimulakan dengan pemeriksaan teliti ke atas pelbagai undang-undang dan peraturan yang terdapat di negara ini dan melihat signifikasi dari segi sejarahnya. Kajian ini juga menerangkan gambaran terperinci tentang pemilikan media arus perdana semasa yang memiliki konglomerat terbesar negara ini. Kajian ini menggunakan kaedah pengumpulan data. Kaedah pengumpulan data ini dilakukan menerusi temubual mendalam dengan informan-informan yang terlibat secara langsung dan tidak langsung dengan media di

Malaysia. Penemuan kajian ini mencadangkan yang kebebasan bersuara adalah satu elemen konstitutif untuk mana-mana rejim jika kerajaan dan masyarakatnya berhasrat untuk melabelkannya sebagai demokratik dan menunjukkan undang-undang kawalan tidak dapat mencapai keharmonian yang lebih baik untuk negara ini. Tambahan, struktur sosial Malaysia dan kesan dari era kolonial British telah dikenalpasti sebagai punca utama kewujudan undang-undang kawalan di dalam penemuan ini dan oleh itu media Malaysia telah mengalami Social Responsibility Theory of the Press. Walaubagaimanapun kajian ini dengan jelas menunjukkan yang media di Malaysia telah dikawal oleh kerajaan dan syarikat-syarikat media berkait rapat dengan pemimpin-pemimpin kerajaan untuk survival politik parti memerintah, tetapi pemansuhan beberapa undang-undang kawalan seperti ISA menunjukkan kerajaan memberikan layanan yang lebih fleksibel dalam perjalanan Malaysia ke arah negara demokrasi dan masa depan yang lebih gemilang.

# **POLITICAL CONTROL OVER MEDIA IN MALAYSIA FROM 1970 TILL 1999**

## **ABSTRACT**

This study examines the political control over the media in Malaysia in the years 1970-1999. It seeks to understand the situation of media freedom in the country where the Internet however remains unfettered in line with upholding civil liberties and maintaining democratic spaces but censorship is a growing issue in Malaysia where was ranked 141st in the Worldwide Press Freedom Index by Reporters Without Borders and was also given a "Not Free" status on the Freedom in the World report by Freedom House. This study examines the history of media control in the country with paying closer attention to the period from Independence to 1999 which not only includes pre-colonial Malay sultanate and British colonialist era but also it contains the media situation in Malaysia after Independence which comprise the May 13th thirteenth tragedy, October 27th "Operasi Lalang" 1987, Asian Financial Crisis and Reformasi Movement (1997-1999). It would appear that the issue of the control of the mass media is as old as the history of mass media in the country. The study begins with a close examination of the various laws and regulations that exist in the country and looks at the historical significance of these laws. This study explains with a detailed description of ownership of the current mainstream media who owns the largest media conglomerate in the country. The research employs a main method of data collection. This method of data collection is through in-depth interviews with Malaysian informants who are directly or indirectly related to the media in Malaysia. My findings suggest that the freedom of speech is a constitutive element of any

regime whose government and society wish to label it as democratic and also it points out to limitative laws which cannot achieve better harmony to the country. In addition, Malaysia due to the social structure and also effects of British colonialism era has known as the main roots of existing these restrictive rules in the finding and as result the Malaysian media have experienced the Social Responsibility Theory of the Press. Nevertheless, this study clearly shows in conclusion that the media in Malaysia has been controlled by the government and media companies are associated with leaders of government for political survivability of the ruling party but due to revoke several limitative laws such as ISA the government have presented a more flexible treatment which shows that Malaysia is going to be a more democratic nation and aiming to develop a good future.

## **CHAPTER 1**

### **INTRODUCTION**

#### **1.1 Introduction**

This study seeks to understand the situation of the media freedom and the reasons which caused the restrictions in freedom of the media and examines the political control over the media in Malaysia from 1970 to 1999. The Malaysian government has been censured by opposition parties, international organizations, such as the United Nations and local and foreign non-governmental organizations for refusing the right to free speech that is enshrined in the Malaysian constitution. In turn, the government utilized restrictive laws which have limited right to the freedom of speech, apparently because of the potential threat politically, economically and socially. Therefore, to understand the reasons for the limitations in the freedom of media in Malaysia, this research initially builds on previous research and having been more acquainted with the media and its role in society through the scholars such as William Case's (2010) study of the role of political parties and media, Mohd Sani's (2010) analysis of media and Mustafa K. Anuar's (2010) work on policy of media. This study attempts to realize the theories of freedom of the press which would assist to understand the general strengths and weaknesses of the Malaysian-described freedom of the press according to the given theories. In addition, this study explains Malaysians society as having a multi ethnic form which had experienced the conflict of ethnic groups, which in turn prepares a social and historical overview of the conditions of ethnic relations in Malaysian society which had resulted in the restriction of the media in Malaysia. In turn, historically, the periods of Pre-Colonial Malay Sultanate and British Colonialist Era and the situation of the media after



Independence examines as the history of media control in this country. In fact, this study tries to explain the events that have had the most effects to restrict the media such as 13<sup>th</sup> May 1969, October 27 “Operasi Lalang” 1987, the Asian Financial Crisis and Reformasi Movement from 1997 to 1999 as well. These events show that Malaysian media have experienced the severe conditions between these years which are caused as a fundamental argument for political leaders to keep the limitative laws such as ISA to avoid a new 13<sup>th</sup> May in Malaysia. Therefore, regarding the arguments presented above, this study needs to understand the restrictions on media freedom which are not only confined to the direct legal control imposed through the many laws and regulations such as Internal Security Act 1960, the Official Secret Act 1972, the Sedition Act, the Printing Presses and Publications Act, the Malaysian Communications and Multimedia Commission (MCMC) of 1996, and the Universities and University Colleges Act, 1971, but also through indirect control mechanism in the form of ownership. Any discussion of media freedom and freedom of expression in Malaysia would be incomplete without at least an overview of the issue of media ownership in the country.

This country because of its social structure as a multiracial society has always been against this question of whether free speech is good for a multiracial society like Malaysia. And if we suppose that legal limitations are necessary for the Malaysian society, what are the measures necessary to manage a democratic state for the country where several ethnic groups are living together? Do these limitation laws really help to ensure racial harmony, political stability and economic prosperity in Malaysia? Therefore, this is safe to say that, this study would attempt to describe the reasons that have led to the creation of the limitative laws and finally to restrict the freedom of media in this country, which is significant because freedom of speech is

very vital to a democratic system of governance as it would permit the people to express their views on important matters in their daily lives. In fact, it is undemocratic to curb freedom of expression in Malaysia because to express one's opinions is a human right that should be respected by the state. Therefore, this thesis helps to highlight to the Malaysian people on having a better society by improving the media freedom as suggested in this research.

## **1.2 Problem Statements**

Freedom of speech as a human right is a vital and fundamental element for democratic societies. But in Malaysia, where the Internet however remains unfettered in line with upholding civil liberties and maintaining democratic spaces but censorship is a growing issue in the country, where was ranked 141st in the Worldwide Press Freedom Index by Reporters Without Borders and was also given a "Not Free" status on the Freedom in the World report by Freedom House. On the other hand, the Malaysian government had restricted the freedom of the media for the purpose of national security and political stability, besides having these limiting laws to crush the freedom of speech which is emphasized in the Malaysian constitution as a right. Despite having the freedom of expression being a human right as enshrined in the Federal Constitution of Malaysia, Malaysians have been deprived of that right through various laws that can be considered undemocratic. For instance, the Sedition Act and the Internal Security Act are utilized frequently to limit the press and other government critics.

The arguments presented above create an important question which is asked by several scholars such as Anuar (2010) and Sani (2004) which asks why state in Malaysia, does not respect freedom of the media and also uses a variety of legal

limitations such as the PPPA, OSA, Sedition Act, and ISA which are impinging on press freedom, not only for journalists and educators but also students who are limited by the Universities and University Colleges Act (UUCA). In other words, why are these laws vital? And do we need such limitative laws as a guarantee to ensure racial harmony, political stability and economic prosperity in Malaysia? Do these laws have seriously been able to make sure the Malaysian society are without such problems that the government had kept these British colonialist era laws after several decades until today such as ISA?

In other words, in Malaysia, the sum of laws pertaining to the media and how the government controls it, has been a source of conflict between the government and many groups of society which have not been satisfied with the government policy on media. In fact, human rights activists, NGOs, journalists and even opposition have pointed out to severe situation of freedom of speech which is known as a fundamental human right and media freedom in Malaysia as an important step to make more democracy in the country. But the ruling party as government is going to do gradually.

In fact, how can the Malaysian people hope for democracy in Malaysia when these restrictive laws make a lot of limitations for the media, while being the watch dog to control government activities and the Malaysian people are deprived of having this right? In fact, these important questions have been asked about the situation of the media in Malaysia by scholars from different periods. Answering these questions would help to improve the situation for the Malaysian people democratically and find a better way for the government to deal with issues concerning racial harmony, political stability and economic prosperity in Malaysia.

The purpose of this study is to describe the attitude towards the freedom of the media in Malaysia and describing the situation of the media within a specified period of time (1970-1999) and to understand which theories of freedom of the press is referring to this period and also to explain restrictive laws of freedom of the media in Malaysia. In addition, this study will try to answer, why in the first place; Malaysia had to exercise these restrictive laws of freedom on the media.

This study investigates the period from 1970 to 1999 because of importance of the years after independence till 1999. In fact, these years are important because before the independence, the concept of media closed to inform the new laws which acted through colonial system and to support of new policies of colony which resulted to support the colonists and their interests generally. But after independence, the Malaysian government kept the media under limitative laws such as ISA and while the freedom of speech highlighted in Malaysian constitution but the situation of Malaysian media did not change against limitative laws of the freedom of speech. In fact, this period of time because of serious events like 13<sup>th</sup> May and new Malaysia social structure is important.

### **1.3 Objectives of the Study**

This study is about media freedom in Malaysia and therefore it is necessary to investigate the situation concerning the media in this country. The first step for analyzing this situation is, this thesis tries to understand the several theories which can explain Malaysian media and its real situation as well as help to clarify how the government controls the media. This thesis investigates the reasons that limit the freedom of media and will focus between the specific periods from 1970 to 1999 which include information about the Malaysian society as being pluralistic and also

try to understand situations on the media historically from when the country gained independence until 1999. As noted above, this thesis follows these research objectives:

Firstly, to explain which theories - Libertarian, Social Responsibility, or Authoritarian, are suitable in the context of analyzing the real situation of media freedom in Malaysia from 1970 to 1999

Secondly, to evaluate the history of media control in the country with paying closer attention to the period from Independence to 1999

Thirdly, to understand the control on media freedom in Malaysia which include limitative laws and on ownership

#### **1.4 Significance of the Study**

This study is about the freedom of media in Malaysia, and it is highly political in the context of Malaysian politics and society. In Malaysia, the sum of laws pertaining to the media and how the government controls it, has been a source of conflict between the government and many groups of society which have not been satisfied with the government policy on media. It is hoped that, this study will illuminate by giving some understanding why the government had to enforce such restrictive laws over media activities and as in the recent development, the government has improved the media development tremendously.

#### **1.5 Scope of the Study**

The scope of the study is about a fundamental human right which is known as the freedom of speech in the whole world. This study is also about the right to

freedom of speech in the media for Malaysians, where in Malaysia there are a lot of people with different ideas on religion and culture. Therefore, it is safe to say that the main scope of this study is to understand the media as one of the important tools to achieve a full democracy in Malaysia and also to improve the situation of media freedom as the watch dog to monitor government activities. Malaysian citizens had broadcasted high-quality ideas relating to the freedom of speech as a human right which has helped to establish the government to be more democratic and to relate more directly to the quality of life of Malaysians. The study refers to the era between 1970 to 1999, however the transformation period under the present government will also be discussed. After gaining independence, the government was against the legacy of the colonial system, which changed the social structure to become a plural society in Malaysia. Between 1970 until 1999, Malaysia experienced several political and social issues resulting in the government restricting the media in this country. These events have basically become the reasons for the government to use several limitative laws such as ISA. Therefore, it is safe to say that these decades as the starting point in the restriction of the media by the government to avoid another 13<sup>th</sup> May incident in Malaysia.

### **1.6 Research Questions**

This research attempts to answer four main questions, which without responding to them we may not be able to understand the Malaysian media and the reasons for this situation to exist in the Malaysian society, limiting their freedom of speech as a vital human right in today's world. This article provides an analysis of the state of the media in Malaysia where there are a lot of people who are living with different religions and customs. In addition, the government believes in the freedom

of speech and emphasizes these freedoms in its constitution too. As noted above, this thesis follows these research questions:

- Which theory, (Libertarian, Social Responsibility, or Authoritarian) is suitable in the context of analyzing the real situation of media freedom in Malaysia from 1970 to 1990?
- What are the historical factors that restrict the freedom of media in Malaysia from 1970 to 1999?
- How did the government control the media in Malaysia from 1970 to 1999?

## **1.7 Definitions and Concepts**

### **1. The mass media as a concept**

Before the invention of alphabets, persons exchanged and transferred their information through the words. But even in early oral cultures, tools had been created for recording and preserving thoughts in strong physical forms. The forms were always pictographic- a pictograph is an image representing a thought (Danesi, 2002). In fact, the beginning of history was the word. History, by definition, begins with the written word. The Sumerians (an ancient civilization located in what is now Iraq) were the first to invent writing (Ryan & Wentworth, 1999).

However, pictography as a complete instance of what a media is - a means of recording thoughts on several surface with appropriate technology. But pictography not only did not change the primary and fundamental oral nature of daily communication, but also it did not change the oral style of transmitting information of early societies. That happened after the creation

of alphabetic writing about 1000 BC - an occurrence which caused “the first true radical change in the world’s social structure” (Danesi, 2002, pp. 2-7).

In turn, the development of movable type technology in the fifteenth which is known as the second step in the establishment of a worldwide civilization is an occurrence that made it possible to print and copy books inexpensively.

In addition, developments in electronic technology established sound recordings, cinema, radio, and television as the new media is known as the third step towards the founding of a worldwide civilization which was taken at the start of the twentieth century. The fourth step towards establishing a worldwide civilization is known after computers became broadly available and the Internet appeared as a truthfully global media which happened in near the end of the twentieth century (Danesi, 2002). In addition, some scholars such as Ryan and Wentworth (1999) believe that the term mass media is not one that can be defined with exact clarity. In fact, some media are clearly mass media include radio, recordings, cinema, and television. Other types of media such as billboards or public education have raised the eyebrows of many media scholars but there are some media that can never be called mass media such as the bulletin board in the school hallway, will never make the accepted list of mass media. Regarding the arguments presented above, the media can be divided into three basic categories includes natural medium that can be transmitted in some biologically-based way through the voice, facial expression, and etc. The second type is an art factual medium which can be transmitted by means of some artifacts such as books, paintings, letters, etc. And also telephones, radios, television, computers are the mechanical mediums through which people can transmit their ideas (Danesi, 2002).



## 2. The relationship with concept of democracy and media

To fully understanding the importance, nature, and the implication of the role of the media in our political system, we should probe a little more deeply into the meaning of democracy. Alger (1996) believes in the existing alternative choices that should be available to the public, which are alternative candidates for elections or alternative choices to compare and choose by the people and finally achieving public acceptance. In addition, the second step to democracy is, the public should have the information, because, it needs to make political decisions in a meaningful fashion, that is, to make such choices. Therefore, there are two essential elements if we expect democracy be truly operative. In fact, democracy and the media have a very special relationship because when democracy works in elections, the result would be:

- the public have substantial and accurate information about qualifications of candidates for office, for example the formal education and other trainings of the candidates, offices held, and other relevant experiences and their leadership abilities,
- the positions taken by the candidates on issues of concern, as well as the candidates' general political orientations and philosophy,
- the nature of each office involved, including its formal responsibilities and various demands.

To hold government officials answerable between elections, the people need information on the performance of those officials on existing programs, on proposals for new policies to deal with issues we face and the consequences of those policies, as well as on whether such governmental processes themselves are being operated in a responsive and fair manner (Alger, 1996).

Beer (1995) believes that the restriction on freedom of expression is one of the patterns of human rights violations common in Asia which are mainly because of official policies. He specifically includes restraints on press freedom and media independence, free speech, freedom of peaceful assembly (without any danger to public order), and freedom of association. He imagines that most Asian nations guarantee democratic voting rights and religious liberty to all but there are a lot of countries ruled by repressive regimes, as can be seen in China, North Korea, Brunei, Malaysia, Vietnam, Singapore, Indonesia and Burma. Therefore, the media or mass media would direct attention to these tools, avenues and vehicles of information and data distribution generally employed by communicators to send out messages - in the shape of news, opinion pieces, advertisements, etc. - to a broad and varied group of viewers and audience (Opumie-Ngoa, 2010). Ryan and Wentworth (1999) argue that the mass media are the press, radio, and television, which are the mediums of distributing information quickly to huge sections of big societies. This narrow view of the mass media directs exactly to the technological apparatus that actually carries off transmitted information which include several parts such as the Press and Print media (Newspapers, Books, Magazines) and Broadcasting media (Television, Radios) and New or Digital media (Internet).

### 3. Definition of the Public Policy

There are several definitions about public policy between scholars but there are a same mining among them which include whatever regimes select to do or not to do. In fact, rulings do various things which include, organizing to continue conflict with other societies; they distribute a great diversity of

symbolic rewards and material services to citizens in society, and they extract money from society, most often in the form of taxes. Consequently, public policies could be organizational, regulative, distributive, or extractive-or all these things all together. In other words, public policies can contract with a broad diversity of substantive areas defense, educations, economic opportunity, health, welfare, police, foreign affairs, highways, taxation, housing, social security, urban development, recession, inflation and etc. In fact, Public policy is whatever governments select to do or not to do results in the allocation of values (Dye, 1975)<sup>1</sup>.

#### 4. Political Control

Political control is to be increased through fortifying frame-leading and regulatory power of the political processes as done by the political authorities to strengthen their function as general regulators, by the formulation and devising of rules and provisions or by utilizing other general control instruments from which legislators, executives, judges, and administrators make choices, which they impose upon the activities of political systems (Winner, 1978).

Winner (1978) argues that in fact, political control is set up through a single superior center as the state, which is the highest civil authority within a society. It can guarantee the essential situations of the process for the separate systems by influencing taxation, procurement, regulations, and etc. In relation between the political control and media, McLuhan (2011) believes that political control over media is when the mass media not only manage through political elites or owned by them but also newspapers and broadcasting and

---

<sup>1</sup>: See more: David Easton, 1953, *The Political System*, New York: Knopf,

etc. are in influencing of government. In fact, in this term, political control over media is through the limitative laws when the ruling party as government is able to rule the media and press them to publish the news and decisions to choose which are close to support the government and its policies.

#### 5. Freedom of the Media

Freedom of the media is a general assurance and to provide confidence by a government on free public press for its people and their associations, and widened to members of news-gathering organizations (journalists), and their published reporting. In many countries there are constitutional or statutory protections pertaining to freedom of the press. With respect to governmental information, any government would distinguish which materials can be disclosed or are protected from disclosure to the public based on the classification of information as sensitive, secret or classified and being otherwise protected from disclosure because of relevance of the information and data in defending the national interest. Many governments are also subject to sunshine rules or freedom of information legislation that are used to define the ambit of national interest (Starr, 2004). On the other hand, according to Articles such as 10, 13 and 19 in the Universal Declaration of Human Rights, everyone has the right to freedom of expression which is without interference to seek, receive and impart information and ideas. In fact, this is a human right which through the media, everyone must be able to share their ideas and thoughts in all ways such as newspapers and magazines, radio, television, and the Internet. Therefore, it is safe to say that media

freedom is one of the important subjects of human rights and having a significant role in democratic societies in today's world.

#### 6. Importance of Freedom of Expression

The importance of the freedom of expression can be put into three levels, at the individual level, internal level and finally at the international level.

1) At the individual level, freedom of expression is known as a key to the development, dignity and gratification of each person. In fact, through exchanging opinions and information without restraint with others, people not only would know how to earn an understanding of their world but also make it possible to have a better opportunity to plan their lives and practice their trades (Article19, 2013).

2) At the national level, freedom of expression is an essential prerequisite for a good government to have different economic and social progress which can reflect the quality of the government in a variety of ways. In other words, the freedom of speech not only helps to make sure that experienced, competent and honest people govern the state but also in a democratic system, the freedom of expression states a condition that all political parties are able to discuss freely about their strengths and weaknesses and as a result, would enable voters to form an opinion about who is best qualified to run the country. On the other hand, when people can speak their thoughts without fright and limitation, and also the media are allowed to report what is being said, the government will have the opportunity to become conscious of their problems and difficulties, and can take the necessary measures to address while promoting a good government by enabling people to raise their connections with the ruling government. By the freedom of expression,

society has a warranty where new policies and legislations are carefully considered through the free media. Through public debates, they create a marketplace of ideas which may help the government to choose the best suggestions while on the other hand, freely discuss about new laws to help ensure that these new laws are to support the citizens, which would make it more likely to be respected (Article19, 2013).

3) In the third level, the international community has known freedom of expression as one of the most important human rights which promotes the implementation of other human rights, as not only it improves government policies in all areas, counting on human rights but also gives power to journalists and activists to draw attention to existing human rights problems and abuses to persuade the government to take action on them<sup>2</sup> (Article19, 2013).

### **1.8 Design of the Study**

The design of the study is put up in the direction where the media can be understood more clearly. It begins with the input factors like media press, printing and electronic/digital that would become the subject of the study. Under the throughput factors, it starts with a government or ruling party which plays a very important part of a policy maker. The government with a strong leadership has to make a strong policy on the media. Under the output factors policy, the government could devise under a policy, laws and regulations such as Official Secret Act (OSA), Internal Security Act (ISA), Printing Presses and Publications Act (PPPA), and etc. The government believes that these restrictive laws would control elements of

---

<sup>2</sup> The right to freedom of expression guarantees in The Universal Declaration on Human Rights (*UDHR*) (United Nations General Assembly, (1948) and the International Covenant on Civil and Political Rights (*ICCPR*), (United Nations General Assembly, 1966).

substantive communities and anti-government under the outcome policy or would give low impact to the freedom of the media. In Figure 1.1 as the conceptual design of study is shown the relationship among Input Factors, Throughput Factors, Output Policy, and Policy Outcome.

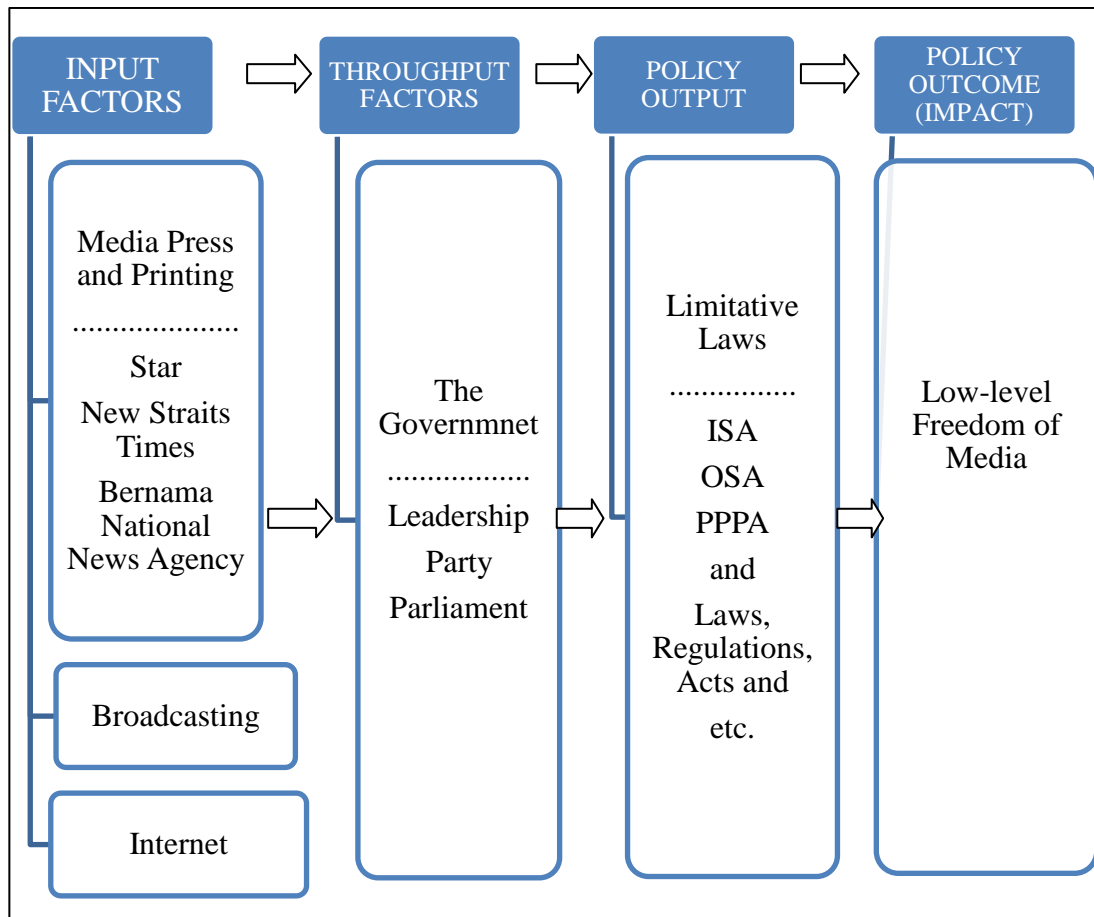


Figure 1.1 The conceptual design of study: the relationship among Input Factors, Throughput Factors, Output Policy, and Policy Outcome. Adapted from An approach to an analysis of political systems (p. 383), by David Easton, 1957, *World Politics*.<sup>3</sup>

<sup>3</sup> also see: Gabriel A. Almond, 1978, *Comparative Politics, System, Process, and Policy*, Second edition, Little, Brown and Company, Boston, , chap I

In Figure 1.2 as theoretical frame work of study is shown the relationship between theories and media controls.

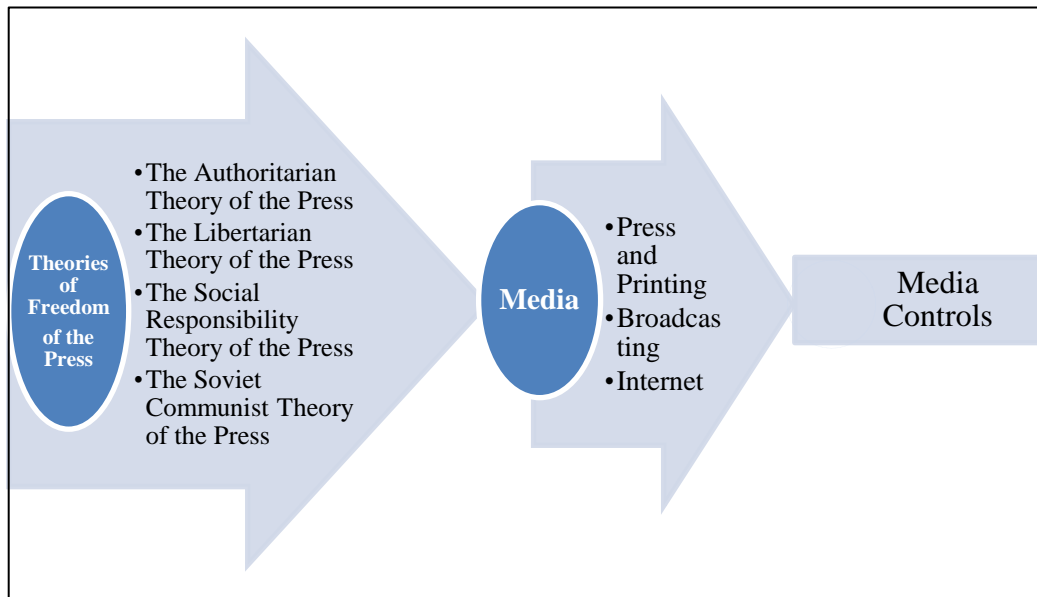


Figure 1.2 Theoretical frame work of study

## 1.9 Methodology of Study

This study is a qualitative broad research. The method in the qualitative study is mainly interviews which took place from October 2012 to February 2013. To provide more nuance and context to the research, a textual analysis of primary and secondary sources counting blog-sites, newspaper articles, speeches, interviews, and other public documents made by politicians and media practitioners was also conducted. And also, to give one more layer of detail to this study, a review of the various laws and policies has also been contained. While this is not a historical study of the mass media in Malaysia, a lesson of this nature of study cannot exclude a fair



amount of historical explanation of the growth of mass media, particularly in relation to media ownership and cases of restraint of the freedom of media in Malaysia.

### **1.9.1 Data from In-depth Interviewing**

This study employs interviewing - specifically in-depth interviewing - as the central methodological tool to gather information from socio-political journalists and the people who are directly and indirectly related to the media in Malaysia. Qualitative research interview attempts to “understand the world from the subjects’ point of view”, to unfold meaning of peoples’ experiences, to uncover their lived world prior to scientific explanations. Interviews could be understood as a “conversation that has structure and a purpose”. This is not the same as two friends having a chat for “it goes beyond the spontaneous exchange of views”...and becomes a careful questioning and listening approach with the purpose of obtaining thoroughly tested knowledge. There is certainly a great difference in such a conversation because it is not “a conversation between equal partners...the researcher defines and controls the situation” (Kvale, 1996, p. 6). On the other hand, Warren (2001) argues “Qualitative interviewing is based on conversation with the emphasis on researchers asking questions and listening, and respondents answering. Interview participants are more likely to be viewed as meaning makers, not passive conduits for retrieving information from an existing vessel of answers”. He believes “the purpose of qualitative interviewing is to derive interpretations, not facts or laws, from respondent talk” (p.83). While in-depth interviews are excellent methodological tools for collecting deeper information from which a simple survey, informal interviews and focus group would not be able to obtain, there are other concerns that must be recognized by the researcher who employs such methods. Johnson (2002)

cautions in-depth interviewers of not hearing what their informants tell them, “but only what their own intellectual and ethical development has prepared them to hear” (p. 106).

In this study I will interview with six people. The members are practitioners such as academia lecturers, journalists and the people who are directly and indirectly related to the media in Malaysia. In addition, Daymon and Holloway (2002) pointed out, to experience an interview of good quality the researchers need to follow several points. First, a cover letter noting the purpose of the interview can be delivered to informants via email. Then, all the interviewees can be contacted by telephone or email to set an appointment. With the permission of interviewees, a digital recorder can be used to record the conversations, which could help the researcher to conduct the interview smoothly and efficiently. During the interviews, a set of questions can be used to guide the conversation and, more importantly, the researcher also may ask follow-up questions to stimulate the conversation on the topics discussed. Moreover, having flexibility to discuss the topics of interest with interviewees and encouraging an interactive process between interviewer and interviewees may enhance the quality of the interview (p. 166).

After interview, the researcher would transcribe all the interview data. For this study, due to limitations, the interview is done through emails and phone. Amongst the objectives of the transcription of data are:

- To understand the reasons of the importance of the freedom of speech.
- To identify the reasons for the limitations in the freedom of the media.

- To think about revoking media control and all limitative laws and legal restrictions in Malaysia.
- To identify the implications of these limitative laws towards creating improved harmony.
- To realize the paradox between the Malaysian constitution and government practices about the freedom of speech.
- To understand which theories, (Libertarian, Social Responsibility, or Authoritarian) is suitable in the context of analyzing the real situation of media freedom in Malaysia from 1970 to 1990.
- To give suggestions to improve the situation on the freedom of the media in Malaysia.

Data is collected from primary sources such as newspapers, TV interviews, speeches, and other sources. The second largest source of information in this study is newspapers. This study uses a variety of newspapers (online and print format) as sources of information. Some of the most frequently cited Malaysian newspapers in the study include:

- The Star (English language, published in Malaysia), which is moderately inclined in its analysis.
- New Straits Times (English language, published in Malaysia), also more inclined towards government policies.
- Bernama National News Agency (Malay, English language, published in Malaysia), which is a government news agency.
- Malaysiakini.com (English language, published in Malaysia), which is highly pro-opposition parties.

- Aliran.com (English language, published in Malaysia), which is more inclined to support government policies.

### **1.10 Limitations of Study**

This study is about media control politically, which include printing press, broadcastings and new media or Internet. Media as one of the important tools to achieve a full democracy and also to improve the situation of media freedom as the watch dog to monitor government activities has the important and vital role in societies. This research investigates about the freedom of media in Malaysia where is known as multi-ethnics and multi-religions society. This research will explain the sum of laws pertaining to the media (such as ISA, PPPA, and etc.) and how the government controls it. This issue has been a source of conflict between the government and many groups of society which have not been satisfied with the government policy on media. The study refers to the era between 1970- 1999. This period is so important because not only after gaining independence, the government was against the legacy of the colonial system and a new social structure as plural society in Malaysia, but also Malaysia experienced several political and social issues in this period such as 13<sup>th</sup> May 1969, Operasi Lalang 1987, Asian Financial Crisis, and the Reformasi movement. In other words, these events have basically become the reasons for the government to use several limitative laws such as ISA to avoid another 13<sup>th</sup> May incident in Malaysia. This study as a qualitative broad research used the interviews as the main method in this study to gather information from socio-political journalists and the people who are directly and indirectly related to the media in Malaysia. Data is collected from primary sources such as newspapers, TV

interviews, speeches, and other sources. The second largest source of information in this study is newspapers.

### **1.11Chapterization**

This research includes several chapters to explain the reasons of this situation for the media in Malaysia. First, this study reviews the main gap between the scholars about freedom of media in Malaysia in chapter 2. Chapter 3 discusses the theories of freedom of the press which would assist to understand the general strengths and weaknesses of the Malaysian-described freedom of the press according to the given theories. In addition, chapter 4 will describe Malaysia's society and focuses on its structure. We would explain Malaysian society as having a multi ethnic form which had experienced the conflict of ethnic groups, which in turn prepares a social and historical overview of the conditions of ethnic relations in Malaysian society which had resulted in the restriction of the media in Malaysia. Moreover, in this chapter, we examine the history of media control in this country, paying close attention to the period from Pre-Colonial Malay Sultanate and also British Colonialist Era and the situation of the media after Independence as well. In addition, chapter 5 will focus on the development of media control in the country through several significant events which had happened between these decades and had resulted in stricter information flow and more limitations for the media in Malaysia until 1990. First, the Racial Riot, that happened in 13<sup>th</sup> May 1969. Next, we examine Operasi Lalang (Operation Weed) 1987, so-called because of the Malaysian government's effort to weed out anti-government individuals following a judicial crisis in the country. Then, the Asian Financial Crisis hit the region with a sudden and devastating blow. In addition, this chapter explains the Reformasi movement

which had affected policies of the ruling party as the current government to tighten the freedom of the media in Malaysia.

Chapter 6 closely examines the various laws and regulations that exist in the country and we look at the historical significance of these laws. This chapter explains the laws that have been created in Malaysia's constitution and also regulations such as the Internal Security Act 1960, the Official Secret Act 1972, the Sedition Act, the Printing Presses and Publications Act, the Malaysian Communications and Multimedia Commission (MCMC) of 1996, and the Universities and University Colleges Act, 1971. This chapter will explain the relation between the media and ownership which has helped the government to have better control upon the media.

The results of the analysis of the data in relation to the research questions are discussed in detail in Chapters 2, 3, 4, 5 and 6. Chapter 7 - Findings is the result of interviews with the people who were involved directly and indirectly in the responses to the development of media freedom in Malaysia. Also this chapter includes analysis of data and examines them with relevant reasons and finally in Chapter 8 as conclusion, answers to the research question which explains the real roots in the limitations on the freedom of the media in Malaysia.

## **CHAPTER 2**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

Freedom of speech and of the press is extensively known as a vital worth underpinning the liberal society. Several liberals even prioritize speech right and press freedom over other liberal rights as they are acknowledged as a situation for the realization of liberal values (Emerson, 1963) and liberalism has been connected to the appearance of freedom of the press. As a guiding thought, liberalism has educated the contest and fight against the suppressive state in the long history of censorship of the press. From John Milton to Thomas Jefferson, liberal thoughts declare the paramount importance of the independence of freedom of the press from government interference (Altschull, 1990).

This is safe to say that the thoughts of scholars can give us a better understanding on the important role of the media in society democratically which is necessary to realize the gap between them about the media freedom in Malaysia. But before this subject, this is important to know that the right of freedom of expression is not absolute: both international law and most national constitutions identify that it may be limited. However, any restrictions should remain within severely specified parameters, Article 19(3) of the ICCPR defines the conditions which any limit on the freedom of speech should meet:

The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or